



An Overview of the Kansas Intellectual and Developmental Disabilities Service System

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Community Services & Programs Commission

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Training Overview

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Purpose of the Waiver

The purpose of the I/DD Program is to provide an array of community-based services for individuals who would otherwise be eligible for services in an Intermediate Care Facility.

Individuals must be at least 5 years of age and meet the definition of I/DD

Eligibility

- ▶ Where do I go to apply for Services?
 - Kansas Department for Children and Families
 - The Local Community Developmental Disabilities Organization
- ▶ What information do I need to bring?
 - Information about the person you want to have assessed for eligibility for services.
 - Family history
 - Evaluations
 - Financial Information

Definition of an Intellectual Disability

Intellectual Disability means substantial limitations in present functioning that are manifested during the period from birth to age 18 years and is characterized by significantly sub-average intellectual functioning existing concurrently with deficits in adaptive behavior including related limitations in two or more of the following applicable adaptive skill areas:

1. Communication
2. Self-care
3. Home Living
4. Social Skills
5. Community use
6. Self-Direction
7. Health and Safety
8. Functional Academics
9. Leisure
10. Work

An Axis II diagnosis of an Intellectual Disability made by a healthcare professional that is licensed to make a DSM-IV diagnosis is required.

Definition of a Developmental Disability

Developmental disability means a condition such as autism, cerebral palsy, epilepsy, or other physical or mental impairment (or a condition which has received a dual diagnosis of intellectual/developmental disability and mental illness) and is evidenced by a severe, chronic disability which:

1. Is attributable to a mental or physical impairment or a combination of mental and physical impairments, AND
2. Is manifest before the age of 22, AND
3. Is likely to continue indefinitely, AND

Definition of Developmental Disability (continued)

4. Results in substantial functional limitations in any three or more of the following areas of life functioning:

- Self-care
- Understanding and the use of language
- Learning and adapting
- Mobility
- Self-direction in setting goals and undertaking activities to accomplish those goals
- Living Independently
- Economic Self Sufficiency

To further clarify substantial functional limitations, the CDDO may, but is not required to, use the Eligibility Determination Instrument (EDI) or other professionally accepted, standardized methods of functional assessment

Definition of Developmental Disability (continued)

5. Reflects a need for a combination and sequence of special, interdisciplinary or generic care, treatment or other services, which are lifelong, or extended in duration and are individually planned and coordinated.
6. Does not include individuals who are severely emotionally disturbed or seriously and persistently mentally ill or have disabilities solely as a result of infirmities of aging.

I/DD Waiver Process

- Point of Entry
 - CDDOs or KDADs
- Functional Eligibility
 - Assessment conducted by CDDOs
- Program Eligibility
 - Program manager provides final approval of program eligibility
- Waiting List
 - Yes
- Process
 - Individual presents to CDDOs to request services
 - CDDOs conduct intake/functional assessment
 - CDDO submits completed assessments to KAMIS and place person on a waiting list
 - If approved for services, program manager sends a 3160 communication to DCF
 - DCF determines Medicaid eligibility
 - Eligibility information sent to MCO
 - MCO and TCM conduct needs assessment and develop integrated service plan

HCBS-I/DD Array of Available Services

- Assistive Services
- Day Supports
- Financial Management Services
- Medical Alert Rental
- Overnight Respite
- Personal Care Services
- Residential Supports
- Sleep Cycle Support
- Specialized Medical Care (RN and LPN)
- Supported Employment
- Supportive Home Care
- Wellness Monitoring

What is a CDDO?

- ▶ The Community Developmental Disability Organization (CDDO) is the local single point of application and referral for I/DD services across the State. KDADS contracts with 27 different CDDOs to perform activities such as eligibility determination, capacity building and gatekeeping for Intermediate Care Facilities.

Waiting List

KDADS manages a statewide waiting list for access to the I/DD waiver program. We frequently compare the numbers of persons using services to our approved numbers of persons who can be on the waiver and determine if we have the ability to make offers to new persons. A persons' position on the list is based by the date for which he or she has requested services to start.

Waiting List Process

If KDADS determines we have positions available to serve new persons then;

- ▶ An offer of funding will be sent to the person
- ▶ Persons are given at least 14 days to respond
- ▶ Persons can respond by phone or by mail
- ▶ If a person does not respond they will be sent a final notice that includes a final date to respond.
- ▶ Persons accepting funding will need to contact the CDDO and the Department of Children and families to begin the process of accessing services

The Crisis Process

Persons waiting for access to services may apply to the CDDO for a review to determine if they meet the definition of crisis. Persons who are in crisis or at imminent risk of crisis must either;

1. Require protection from confirmed abuse, neglect, or exploitation or written documentation of pending action for the same, or;
2. Are at significant, imminent risk of serious harm to self or others.

The Crisis Process (continued)

If a person/representative would like to be reviewed for crisis access, they need to contact the local CDDO.

- The person/representative submits requested information to the CDDO
- The CDDO makes a determination as to if the person meets the crisis definition
- If the CDDO recommends approval, information is forwarded to KDADS for review and determination

The Crisis Process (continued)

- ▶ KDADS reviews the information submitted by the CDDO.
- ▶ KDADS issues a notice of action to the person or representative, the CDDO and the MCO (if applicable)
- ▶ If a person is determined to not meet the crisis definition by either the CDDO or KDADS they receive a notice of action that explains the person's right to appeal the decision

Proposed Guardianship Language

- For the guardian to be paid the court must determine all potential conflict of interest concerns have been mitigated in accordance with KSA 59-3068
- The guardian is responsible for reporting any potential conflicts and maintaining documentation of the determination of the court

Proposed Guardianship Language

If the court determines that all potential conflict concerns have not been mitigated, the legal guardian can;

1. Select another family member or friend to provide HCBS services to the participant; OR
2. Select another family member or friend (who is not a guardian or DPOA) as a representative to develop or direct the plan of care. In this case, the MCO will obtain the participant's written consent of the delegated representative to act on behalf of the participant ;OR

Proposed Guardianship Language

3. Select another legal guardian or activated DPOA to serve as the appointed representative to act on behalf of the participant

An exception to the criteria may be granted by the State when a participant/guardian lives in a rural setting and the nearest agency-directed service provider available to provide services is in excess of 50 miles from the participant residence.

QUESTIONS?

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